



IFW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q85523

Shinij NAKADE, et al.

Appln. No.: 10/519,106

Group Art Unit: 1654

Confirmation No.: 9516

Examiner: Christina Bradley

Filed: December 23, 2004

For: REMEDY FOR CHRONIC DISEASE

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

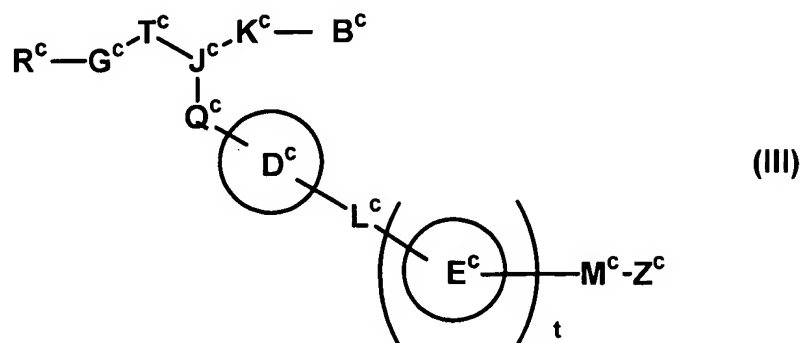
Sir:

This responds to the Office Action containing restriction and election of species requirements mailed July 28, 2006. In response to the restriction requirement, Applicants elect Group III, Claims 14 and 20 for examination. This election is made without traverse.

In response to the election of species requirement, Applicants elect (4'-{[(3-phenylpropyl)(3,4,5-trimethoxybenzoyl)amino]methyl}-2-biphenyl)acetic acid, for examination, without traverse. Applicants direct the examiner's attention to Preparation Example 5(1), compound (37). In addition, the pharmacological data of the elected compound is described in the Example (as compound c). Claims 7, 9-11, 14, 15-17, and 20 read on the elected species.

The following shows the portion to which the elected compound corresponds in formula (III) of Claims 14 and 20:

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wherein R^c is optionally substituted aliphatic hydrocarbon or a ring group optionally having substituent(s),

G^c is a bond or a spacer having a main chain of 1 to 8 atoms,

T^c is -CH₂- or a spacer having a main chain of 1 atom having a hydrogen bond-accepting group optionally having substituent(s),

J^c is nitrogen or carbon,

B^c is optionally substituted aliphatic hydrocarbon or a ring group optionally having substituent(s),

K^c is (1) a bond or (2) a spacer having a main chain of 1 to 8 atoms which may form a ring together with the substituent of the ring group represented by R^c, ring D^c or the substituent of the ring D^c,

Q^c is (1) a bond or (2) a spacer having a main chain of 1 to 8 atoms which may form a ring together with the ring group represented by R^c, a substituent of the ring group represented by R^c, or K^c,

ring D^c is a ring optionally having more substituent(s),

L^c is a bond or a spacer having a main chain of 1 to 3 atoms,

ring E^c is, a ring group optionally having substituent(s),

M^c is a bond or a spacer having a main chain of 1 to 8 atoms,

Z^c is an acidic group, and

t is 0 or 1, or
a salt thereof.

Applicants submit that if any of the elected claims are found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

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Applicants reserve the right to file a Divisional Application(s) directed to the subject matter of non-elected Claims 12-13 and 18-19.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

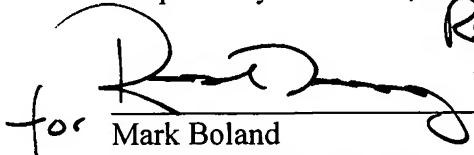
SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Respectfully submitted,

for  **Reg. No. 47,125**
Mark Boland
Registration No. 32,197

Date: August 28, 2006